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FOR IMMEDIATE RELEASE

Voters Approved Tax Hike of Four Cents Per Cigarette, Terry Goddard Concludes

(Phoenix, Ariz. – Dec.1, 2006) Attorney General Terry Goddard issued a legal opinion today stating that the cigarette tax increase adopted by voters last month under Proposition 203 was four cents per cigarette as specifically provided in the text of the statutory language that amends the Arizona Revised Statutes.

On Nov. 9, Department of Revenue Director Gale Garriott requested a formal Attorney General's opinion about whether the cigarette tax increase would be four cents per cigarette, as provided for in the text of the proposed amendment, or .80 cents per pack of cigarettes, as stated in the description of the Proposition shown on the ballot.

"The text of Proposition 203 states unambiguously that the amount of the new tax is four cents per cigarette," Goddard said in the opinion. "The unambiguous statutory language is not altered by the misprint in the ballot description."

Proposition 203 provided dedicated funding for early childhood development and health programs and established a statewide organization to coordinate these programs.

Garriott also requested a legal opinion regarding the application of Proposition 203 to sales of tobacco products on Indian reservations. The Attorney General's Office will address those questions in a separate opinion.

A copy of the legal opinion is attached.

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